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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,170	12/11/2001	Henry Yue	PF-0733 USN	8478

27904 7590 10/22/2002

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EXAMINER
STEADMAN, DAVID J

ART UNIT	PAPER NUMBER
1652	

DATE MAILED: 10/22/2002 7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application N .	Applicant(s)	
	10/018,170	YUE ET AL.	
	Examiner	Art Unit	
	David J. Steadman	1652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-204 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) 1-204 are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Status of the Application

Claims 1-204 are pending in the application.

Lack of Unity

1. Lack of unity is required under 35 U.S.C. 121 and 372. This application contains the following inventions or goups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

I. Claim(s) 1, 2, 16, 17, 19, ~~30-79,~~ and 105-154, drawn to the isolated polypeptide of SEQ ID NO:1-52, a pharmaceutical composition comprising the polypeptide of SEQ ID NO:1-52, a method of using the polypeptide of SEQ ID NO:1-52 for screening a compound as an agonist, .

30-79 ← all claims without of Claim 9

II. Claim(s) 3-7, 9, 11, 12, 96-104, and 155-204, drawn to the isolated polynucleotide of SEQ ID NO:53-104, variants thereof, a recombinant polynucleotide, a cell transformed with a recombinant polynucleotide, a microarray, an array, a method of using a polynucleotide to produce a polypeptide, a method of using a microarray to produce transcripts, .

III. Claim 8, drawn to a transgenic organism comprising a recombinant polynucleotide comprising SEQ ID NO:53-104.

IV. Claim(s) 10 and 80-94, drawn to methods of preparing an antibody, an isolated antibody that binds SEQ ID NO:1-52, a composition comprising an antibody, a method for detecting a polypeptide, a method of using an antibody that binds SEQ ID NO:1-52 for a diagnostic test associated with expression of INTRA, a method of using a composition comprising an antibody.

V. Claim(s) 13-15, drawn to methods for detecting a target polynucleotide of SEQ ID NO:53-104 and variants thereof.

VI. Claim(s) 18, drawn to a method for treating a disease associated with decreased expression of intracellular signalling molecules (INTRA) by administering a composition comprising SEQ ID NO:1-52.

VII. Claim(s) 20 and 21, drawn to a pharmaceutical composition comprising an agonist of SEQ ID NO:1-52 and a method for treating a disease associated with decreased expression of INTRA by administering a pharmaceutical composition comprising an agonist of SEQ ID NO:1-52.

VIII. Claim(s) 22, drawn to drawn to a method of screening a compound as an antagonist of SEQ ID NO:1-52.

IX. Claim(s) 23 and 24, drawn to a composition comprising an antagonist of SEQ ID NO:1-52 and a method for treating a disease associated with overexpression of INTRA by administering a composition comprising an antagonist of SEQ ID NO:1-52.

X. Claim(s) 25 and 26, drawn to a method for screening a compound that binds to or modulates SEQ ID NO:1-52.

XI. Claim(s) 27 and 28, drawn to a method of screening a compound for effectiveness in altering expression of SEQ ID NO:53-104.

XII. Claim(s) 29, drawn to a method of assessing toxicity of a test compound using the polynucleotide of SEQ ID NO:53-104.

XIII. Claim(s) 95, drawn to a method for purifying the polypeptide of SEQ ID NO:1-52.

2. If applicants should elect the claims of any of Groups I, IV, VI-X, or XIII, applicant is further required under 35 U.S.C. 121 and 372 to elect one of the following polypeptides listed as A-ZZ that are not so linked as to form a single general inventive concept under PCT Rule 13.1:

A.	SEQ ID NO:1	E.	SEQ ID NO:5	I.	SEQ ID NO:9
B.	SEQ ID NO:2	F.	SEQ ID NO:6	J.	SEQ ID NO:10
C.	SEQ ID NO:3	G.	SEQ ID NO:7	K.	SEQ ID NO:11
D.	SEQ ID NO:4	H.	SEQ ID NO:8	L.	SEQ ID NO:12

M.	SEQ ID NO:13	AA.	SEQ ID NO:27	OO.	SEQ ID NO:41
N.	SEQ ID NO:14	BB.	SEQ ID NO:28	PP.	SEQ ID NO:42
O.	SEQ ID NO:15	CC.	SEQ ID NO:29	QQ.	SEQ ID NO:43
P.	SEQ ID NO:16	DD.	SEQ ID NO:30	RR.	SEQ ID NO:44
Q.	SEQ ID NO:17	EE.	SEQ ID NO:31	SS.	SEQ ID NO:45
R.	SEQ ID NO:18	FF.	SEQ ID NO:32	TT.	SEQ ID NO:46
S.	SEQ ID NO:19	GG.	SEQ ID NO:33	UU.	SEQ ID NO:47
T.	SEQ ID NO:20	HH.	SEQ ID NO:34	VV.	SEQ ID NO:48
U.	SEQ ID NO:21	II.	SEQ ID NO:35	WW.	SEQ ID NO:49
V.	SEQ ID NO:22	JJ.	SEQ ID NO:36	XX.	SEQ ID NO:50
W.	SEQ ID NO:23	KK.	SEQ ID NO:37	YY.	SEQ ID NO:51
X.	SEQ ID NO:24	LL.	SEQ ID NO:38	ZZ.	SEQ ID NO:52
Y.	SEQ ID NO:25	MM.	SEQ ID NO:39		
Z.	SEQ ID NO:26	NN.	SEQ ID NO:40		

3. If applicants should elect the claims of any of Groups II, III, V, XI, or XII, applicant is further required under 35 U.S.C. 121 and 372 to elect one of the following polynucleotides listed as AAA-ZZZZ that are not so linked as to form a single general inventive concept under PCT Rule 13.1:

AAA.	SEQ ID NO:53	JJJ.	SEQ ID NO:62	SSS.	SEQ ID NO:71
BBB.	SEQ ID NO:54	KKK.	SEQ ID NO:63	TTT.	SEQ ID NO:72
CCC.	SEQ ID NO:55	LLL.	SEQ ID NO:64	UUU.	SEQ ID NO:73
DDD.	SEQ ID NO:56	MMM.	SEQ ID NO:65	VVV.	SEQ ID NO:74
EEE.	SEQ ID NO:57	NNN.	SEQ ID NO:66	WWW.	SEQ ID NO:75
FFF.	SEQ ID NO:58	OOO.	SEQ ID NO:67	XXX.	SEQ ID NO:76
GGG.	SEQ ID NO:59	PPP.	SEQ ID NO:68	YYY.	SEQ ID NO:77
HHH.	SEQ ID NO:60	QQQ.	SEQ ID NO:69	ZZZ.	SEQ ID NO:78
III.	SEQ ID NO:61	RRR.	SEQ ID NO:70	AAAA.	SEQ ID NO:79

BBBB. SEQ ID NO:80	KKKK. SEQ ID NO:89	TTTT. SEQ ID NO:98
CCCC. SEQ ID NO:81	LLLL. SEQ ID NO:90	UUUU. SEQ ID NO:99
DDDD. SEQ ID NO:82	MMMM. SEQ ID NO:91	VVVV. SEQ ID NO:100
EEEE. SEQ ID NO:83	NNNN. SEQ ID NO:92	WWWW. SEQ ID NO:101
FFFF. SEQ ID NO:84	OOOO. SEQ ID NO:93	XXXX. SEQ ID NO:102
GGGG. SEQ ID NO:85	PPPP. SEQ ID NO:94	YYYY. SEQ ID NO:103
HHHH. SEQ ID NO:86	QQQQ. SEQ ID NO:95	ZZZZ. SEQ ID NO:104
IIII. SEQ ID NO:87	RRRR. SEQ ID NO:96	
JJJJ. SEQ ID NO:88	SSSS. SEQ ID NO:97	

4. The inventions listed as Groups I-XIII, A-ZZ, and AAA-ZZZZ do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical feature for the following reasons:

a. The polypeptides of Groups A-ZZ are structurally and functionally unrelated,

b. The polynucleotides of Groups AAA-ZZZZ are structurally unrelated and encode functionally unrelated polypeptides,

c. The polypeptide of Group I, the polynucleotide of Group II, the antibody of Group III, the transgenic organism of Group III, the agonist of Group VII, and the antagonist of Group IX are structurally and chemically distinct entities capable of separate manufacture, use, and effect,

d. The methods of Groups V, VI, VIII, X, and XIII do not share any special technical feature with the polynucleotide of Group II,

e. The methods of Groups V, XI, and XII do not share any special technical feature with the polypeptide of Group I,

f. The methods of Groups V, VI, VIII, X-XII do not share any special technical feature with the antibody of Group IV,

g. The methods of Groups V, VI, VIII, and X-XIII do not share any special technical feature with the transgenic organism of Group III,

h. The methods of Groups V, VI, VIII, X-XIII do not share any special technical feature with the agonist of Group VII,

i. The methods of Groups V, VI, and X-XIII do not share any special technical feature with the antagonist of Group IX,

j. The methods of Groups VI, X, and XIII do not have unity of invention with the polypeptide of Group I as Group I already includes a method of use of the polypeptide which comprises unrelated steps to the methods of Groups VI, X, and XIII and 37 CFR 1.475 does not provide for the inclusion of multiple methods of use within the main invention,

k. The methods of Groups XI and XII do not have unity of invention with the polynucleotide of Group II as Group II already includes a method of use of the polynucleotide which comprises unrelated steps to the methods of Groups XI and XII and 37 CFR 1.475 does not provide for the inclusion of multiple methods of use within the main invention,

l. The methods of Groups XI and XII do not have unity of invention with the antibody of Group III as Group III already includes a method of use of the antibody which comprises unrelated steps to the methods of Groups XI and XII and 37 CFR 1.475 does not provide for the inclusion of multiple methods of use within the main invention,

m. The method of Group VIII does not have unity of invention with the antagonist of Group IX as Group IX already includes a method of use of the antagonist which comprises unrelated steps to the method of Group VIII and 37 CFR 1.475 does not provide for the inclusion of multiple methods of use within the main invention,

n. The methods of Groups V, VI, VIII, and X-XIII do not share any special technical feature as the methods of Groups V, VI, VIII, and X-XIII comprise different steps, utilize different products and yield different results.

5. Because these inventions lack a special technical feature for the reasons given above, lack of unity for examination purposes is proper. Additionally, each of the inventions listed as Groups I-XIII, A-

ZZ, and AAA-ZZZZ requires a separate sequence, literature, and patent search and co-examination of all inventions would result in a serious burden on the examiner.

6. Claims 1-204 will be examined to the extent the claims read on the elected subject matter.

7. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

8. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Steadman, whose telephone number is (703) 308-3934. The Examiner can normally be reached Monday-Friday from 7:30 am to 2:00 pm and from 3:30 pm to 5:30 pm. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Ponnathapura Achutamurthy, can be reached at (703) 308-3804. The FAX number for this Group is (703) 308-4242. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Art Unit receptionist whose telephone number is (703) 308-0196.

David J. Steadman, Ph.D.
Patent Examiner
Art Unit 1652

REBECCA E. PROUTY
PRIMARY EXAMINER
GROUP ~~1800~~ 1600